IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1845 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RAMESHBHAI KHODIDAS DOSHI

Versus

STATE OF GUJARAT

Appearance:

M/S THAKKAR ASSOC. for Petitioner

MR L.R. POOJARI, AGP. for Respondent No. 1, 2

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 25/04/2000

ORAL JUDGEMENT

This petition under Article 226 of the Constitution of India is directed against the judgment and order dated 30.6.1992 passed by the Urban Land Tribunal, Ahmedabad in Appeal No.Vadodara 134/85, whereby

the Tribunal dismissed the said appeal which had been filed against the order dated 14.08.1985 passed by the Competent Authority,Vadodara, Unit No.2 under section 8(4) of the Urban Land (Ceiling and Regulation) Act, 1976 declaring the land in question as surplus. Rule was issued on 28.02.1997 and by way of ad-interim relief it was ordered that the parties shall maintain the status-quo, qua the land in question and the said order has continued during the pendency of the present petition. The learned Assistant Government Pleader Shri L.R.Poojari produces a copy of the letter addressed to him by the Competent Authority intimating that the possession of the land which had been declared surplus had not been taken under sections 10(5) and 10(6) of the Act. Since the possession has not been taken the proceedings relating to the order made by the Competent Authority abate in view of the provision of section 4 of the Urban Land (Ceiling and Regulation) Repeal Act,1999 and the present petition does not survive. The petition is therefore accordingly disposed of. Rule discharged. No order as to costs.

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m.m.bhatt